

900 Second Avenue South #820  
Minneapolis, MN 55402  
Phone (612) 339-7461  
Fax (612) 349-6556

**Nikolai & Mersereau, P.A.**

RECEIVED  
CENTRAL FAX CENTER  
DEC 27 2004

# Fax

**To:** USPTO

**From:** C.G. Mersereau

Nikolai & Mersereau, P.A.

**Fax:** 703-308-7722

**Pages:** 18 (including this sheet)

**Phone:**

**Date:** December 27, 2004

**Re:** 09/964,972

**CC:**

☐ **Urgent**

☒ **For Review**

☐ **Please Acknowledge Receipt**

☐ **Please Reply**

● **Comments:** This fax transmission is confidential and may be privileged and only is intended for use of the addressee. If you are not the addressee (or a person responsible for delivering this transmission to the addressee), do not use this transmission in any way, but promptly contact the telecopier operator by telephone at (612) 339-7461.

RECEIVED  
CENTRAL FAX CENTER  
DEC 27 2004

December 27, 2004

RESPONSE UNDER 37 CFR 1.111

OUR FILE NO. 20000427.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Andrew P. Kramer et al.  
Serial No. : 09/964,972 : Examiner G.R. Evanisko  
Filed : September 27, 2001 : Art Unit 3762  
For : TRENDING OF CONDUCTION TIME FOR OPTIMIZATION OF  
CARDIAC RESYNCHRONIZATION THERAPY IN CARDIAC  
RHYTHM

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response Under Rule 37 C.F.R. 1.111 in response to the Office Action dated September 27, 2004 in the above-identified patent application.

The Commissioner is hereby authorized to charge any fees listed in 37 CFR 1.16 and 1.17 which may be required by this paper or credit any overpayment to Deposit Account No. 08-1265.

Yours very truly,

NIKOLAI & MERSEREAU, P.A.

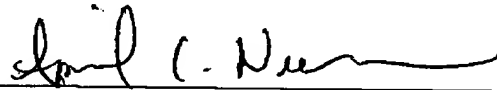


C.G. Mersereau

CGM/acn  
Enclosures

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Response to the Official Action of September 27, 2004, in application Serial No. 09/964,972 of applicant, Andrew P. Kramer et al, filed September 27, 2001, for "TRENDING OF CONDUCTION TIME FOR OPTIMIZATION OF CARDIAC RESYNCHRONIZATION THERAPY IN CARDIAC RHYTHM", and a transmittal letter are being sent by facsimile transmission to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 27, 2004, facsimile No. 703-308-7722.



April C. Nelson  
on behalf of C. G. Mersereau  
Attorney for Applicant

Date of Signature: December 27, 2004

RECEIVED  
CENTRAL FAX CENTER

DEC 27 2004

PATENT APPLICATION

OUR DOCKET NO. 20000427.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Andrew P. Kramer et al : December 27, 2004  
S. No. : 09/964,972 : Group Art Unit 3762  
Filed : September 27, 2001 : Examiner G. R. Evanisko  
Title : TRENDING OF CONDUCTION : Paper No. 6  
TIME FOR OPTIMIZATION OF  
CARDIAC RESYNCHRONIZATION  
THERAPY IN CARDIAC RHYTHM

-----  
RESPONSE UNDER 37 C.F.R. 1.111

Mail Stop NON-FEE AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to an Office Action dated September 27, 2004, which carried a shortened-statutory period for response of three months so that a reply is due by December 27, 2004.

It is requested that the following amendments to the claims be entered: